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9 UNITED STATES DISTRICT COURT
10 WESTERN DISTRICT OF WASHINGTON
11 AT TACOMA

12 PABLO ANTONIO CARBO CISNEROS,

13 Plaintiff,

14 v.

15 STATE OF WASHINGTON,

16 Defendants.

No. C09-5160 RBL/KLS

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

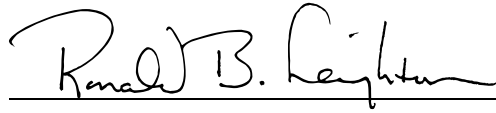
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18 The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen
19 L. Strombom, objections to the Report and Recommendation, if any, and the remaining record,
20 does hereby find and ORDER:

21 (1) The Court adopts the Report and Recommendation;

22 (2) This action is **DISMISSED without prejudice** prior to service for failure to state
23 a claim. **This dismissal counts as a strike pursuant to 28 U.S.C. § 1915(g);** and

24 (3) The Clerk is directed to send copies of this Order to Plaintiff, counsel for any
25 Defendants who have appeared, and to the Hon. Karen L. Strombom.
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1 DATED at Tacoma, Washington this 8th day of June, 2009.

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5 RONALD B. LEIGHTON
6 UNITED STATES DISTRICT JUDGE
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